

FIFTY-NINTH DAY
(Continued)
(Monday, April 29, 1985)

AFTER RECESS

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

SENATOR ANNOUNCED PRESENT

Senator Lyon who had previously been recorded as "Absent-excused" was announced "Present".

LEAVE OF ABSENCE

Senator Mauzy was granted leave of absence for today on account of important business on motion of Senator Truan.

MESSAGE FROM THE HOUSE

House Chamber
April 29, 1985

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 210, Relating to the sale of certain property and the use of the proceeds to provide mental health services or to benefit the Texas Department of Mental Health and Mental Retardation; providing for a lien.

S.B. 287, Relating to the creation, administration, powers, duties, operations, financing, and annexation authority of the Somervell County Water District.

S.B. 418, Relating to the creation and jurisdiction of the County Court at Law of Parker County; conforming its jurisdiction to that of the county court and district court.

S.B. 446, Relating to the authority of a commissioners court of a county to engage in community and economic development projects. (With amendment)

S.B. 613, Relating to the conveyance of certain state-owned real property in Paris, Texas, and to the disposition of the proceeds.

S.B. 635, Relating to state contributions for military service credited in the Employees Retirement System of Texas.

S.B. 636, Relating to internal accounting procedures of the Employees Retirement System of Texas; creating a trust fund for the Employees Retirement System of Texas to which certain assets are credited and disbursements are made.

S.B. 762, Relating to the conveyance of a right-of-way in certain state-owned property in Fort Bend County.

S.B. 783, Relating to the establishment of a rural fire prevention district within the corporate or extraterritorial jurisdiction of a city.

S.B. 1014, Relating to the disposition of penalties collected in connection with the mixed beverage gross receipts tax.

S.B. 1132, Relating to the types of property held by, the procedures for withdrawal of a unit of election from, the letting of certain contracts by certain regional transportation authorities. (With amendments)

H.B. 20, General Appropriations Bill.

H.B. 160, Relating to the requirement of providing notice by sign of the intended use of property for the on-premises consumption of alcoholic beverages.

H.B. 163, Relating to information collected by the Texas Alcoholic Beverage Commission concerning public disturbances at places where alcoholic beverages are sold in certain counties.

H.B. 220, Relating to the creation of an offense of the fraudulent use of a debit card.

H.B. 753, Relating to the composition of certain representative districts.

H.B. 833, Relating to the offense of deadly assault on a peace officer, jailer, guard, or participant in a court proceeding.

H.B. 1012, Relating to the authority of the board of directors of Texas Southern University to sell, exchange, or lease land.

H.B. 1029, Relating to administration and investment of assets of, contributions to, and benefits from, fire fighter's relief and retirement funds in certain cities.

H.B. 1041, Relating to the licensing and regulation of labor agents; providing a penalty.

H.B. 1078, Relating to the creation of an advisory council for and the membership of the Hunt County Juvenile Board.

H.B. 2219, Relating to the submission of reports concerning on-the-job injuries sustained by State employees.

H.B. 2261, Relating to the time for the canvass of the general election returns by the state canvassing board.

H.B. 2288, Relating to housing emergencies.

H.B. 2290, Relating to creation, purposes, powers, duties and authority of regional plan implementation agencies and related procedures and standards; relating to cities and the Texas Department of Water.

H.B. 2323, Relating to the definition of a pawn transaction.

H.B. 2403, Relating to the creation, powers, and duties of the Water District and Authority Study Committee.

H.B. 2329, Relating to identification markings on certain motor vehicles.

H.B. 1096, Relating to the creation, administration, powers, duties, operation, and financing of the Brewster County Hospital District.

H.B. 1214, Relating to the repeal of the law authorizing the county judge of Anderson County to employ a probation officer.

H.B. 1215, Relating to the jurisdiction of the County Court at Law of Anderson County.

H.B. 1335, Relating to the creation of the County Court at Law No. 2 of Brazos County and to the County Court at Law of Brazos County.

H.B. 1345, Relating to creation of the County Court at Law of Polk County.

H.B. 1550, Relating to the rights of landlords and tenants.

H.B. 1565, Amending Chapter 105, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6243f, VTCS) by amending Subsection (b), Section 7, relating to eligibility for membership in the Pension System to...

H.B. 1682, Relating to interest charged by local recording agents to certain purchasers of insurance.

H.B. 1728, Relating to payment of current operating expenses of county-wide hospital districts in counties of 500,000 or more.

H.B. 1762, Relating to standard fill and quantity labeling for commodities in package form.

H.B. 1823, Relating to natural gas suppliers contracting with agriculture energy users and providing guidelines for price determination.

H.B. 2004, Relating to the provision of certain screening tests, professional examinations, and remedial services for both young children with special senses and communication disorders.

H.B. 2067, Relating to the composition of the appraisal review board in certain counties.

H.B. 2126, Relating to the authority of the Commissioners Court of Bexar County to accept gifts and grants for certain purposes.

H.B. 2139, Relating to the definition of the offense of sexual assault.

H.B. 2177, Relating to statements to the secretary of state of the number of registered voters in a county for the primary and general elections.

H.B. 2178, Relating to petitions submitted to the secretary of state for the appointment of state election inspectors.

H.B. 2382, Relating to the creation, administration, powers, duties, operation, and financing of the Martin County Underground Water Conservation District.

H.B. 2408, Relating to the creation, administration, powers, duties, operation, expansion, and financing of the Harris County Municipal Utility District No. 311.

H.B. 2421, Amending Chapter 628, Acts of the 68th Legislature pertaining to Dallas County Utility and Reclamation District and conferring certain additional rights, powers, privileges, authority and functions upon the District, ...

H.C.R. 105, Creating the Select Committee on Higher Education.

H.C.R. 123, Requesting Congress to modify federal liability under the Price-Anderson Act regarding handling of high-level nuclear waste.

H.C.R. 125, Creating the Autism Task Force.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas
April 24, 1985

TO THE SENATE OF THE SIXTY-NINTH LEGISLATURE,
REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE MEMBERS OF THE TEXAS TECH UNIVERSITY BOARD OF
REGENTS:

For a term to expire January 31, 1991:

WENDELL MAYES, JR.
1510 W. 24th Street
Austin, Texas 78703

(Mr. Mayes is replacing Mr. B. Joe Pevehouse of Midland, Midland County, Texas, whose term expired.)

April 25, 1985

For a term to expire January 31, 1991:

J. FRED BUCY
P. O. Box 201050
Dallas, Texas 75220

(Mr. Bucy is being reappointed.)

For a term to expire January 31, 1991:

DR. WILLIAM GORDON McGEE
5008 Vista del Monte
El Paso, Texas 79922

(Dr. McGee is replacing Dr. Nathan Galloway of Odessa, Ector County, Texas, whose term expired.)

Respectfully submitted,
/s/Mark White
Governor of Texas

GUEST PRESENTED

Senator Montford was recognized and introduced Dr. Morris Knox of Brownfield, the Capitol Physician for the Day.

The Senate welcomed Dr. Knox and expressed their appreciation for his service.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

On motion of Senator Traeger and by unanimous consent, the following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.B. 1401 by Whitmire State Affairs
Relating to the extension of the term of, creation of, addition to, or modification of restrictive covenants applicable to certain real estate subdivisions.

S.B. 1402 by Traeger State Affairs
Relating to the construction of roads and highways in the State of Texas.

S.B. 1403 by Harris State Affairs
Relating to the lending of property to museums; notices of actions affecting the loaned property; limiting the period for the recovery of loaned property and the injury thereto.

S.B. 1404 by Jones Finance
Relating to the sale of political subdivision bonds owned by the Texas Water Development Board and the disposition of the proceeds of such sale; and declaring an emergency.

S.C.R. 125 by Farabee State Affairs
Establishing interim committee to be named Joint Special Committee on Cogeneration.

S.C.R. 126 by Leedom State Affairs
Instructing governing board of Texas School for the Deaf to undertake study and submit proposal relating to location and construction of new facility.

HOUSE BILLS ON FIRST READING

The following bills received from the House were read the first time and referred to the Committee indicated:

- H.B. 1330**, To Committee on State Affairs.
- H.B. 1697**, To Committee on Natural Resources.
- H.B. 2331**, To Committee on State Affairs.
- H.B. 2325**, To Committee on Intergovernmental Relations.
- H.B. 2236**, To Committee on Intergovernmental Relations.
- H.B. 2077**, To Committee on Natural Resources.
- H.B. 1957**, To Committee on Economic Development.
- H.B. 1278**, To Committee on State Affairs.
- H.B. 1226**, To Committee on State Affairs.
- H.B. 1119**, To Committee on Jurisprudence.
- H.B. 826**, To Committee on Criminal Justice.
- H.B. 626**, To Committee on Jurisprudence.
- H.B. 553**, To Committee on Education.
- H.B. 488**, To Committee on Health and Human Resources.
- H.B. 377**, To Committee on State Affairs.
- H.B. 346**, To Committee on Health and Human Resources.
- H.B. 235**, To Committee on Criminal Justice.
- H.B. 231**, To Committee on Health and Human Resources.
- H.B. 17**, To Committee on Jurisprudence.
- H.B. 20**, To Committee on Finance.

CO-AUTHOR OF SENATE BILL 1396

On motion of Senator Santiesteban and by unanimous consent, Senator Sarpalius will be shown as Co-author of **S.B. 1396**.

CO-AUTHOR OF SENATE BILL 387

On motion of Senator Howard and by unanimous consent, Senator Montford will be shown as Co-author of **S.B. 387**.

SENATE BILL 609 ON SECOND READING

The Senate resumed consideration of its unfinished business of the following bill on its second reading and passage to engrossment with an amendment by Senators Parker and Brooks pending:

S.B. 609, Relating to regulating the taking, possession, purchase, and sale of oysters and shrimp, to research programs concerning oysters and shrimp, and to fees for certain shrimp licenses; providing penalties.

Question - Shall the pending amendment be adopted?

(President Pro Tempore Farabee in Chair)

A full reading of Floor Amendment No. 9 was called for.

The Secretary of the Senate read the following amendment in its entirety:

Floor Amendment No. 9

Amend S.B. 609 as follows:

(1) Add Subsection (g) to Sec. 76.301 on page 2 to read as follows:

"(g) This section expires September 1, 1987."

(2) Add Subsection (f) to Sec. 77.007 on page 3 to read as follows:

"(f) This section expires September 1, 1987."

PARKER
BROOKS

On motion of Senator Santiesteban, the amendment was tabled by the following vote: Yeas 19, Nays 9.

Yeas: Blake, Brown, Caperton, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Kothmann, Krier, Lyon, McFarland, Montford, Santiesteban, Sarpalius, Sims, Traeger, Uribe.

Nays: Brooks, Jones, Leedom, Parker, Parmer, Sharp, Truan, Washington, Williams.

Absent: Barrientos, Whitmire.

Absent-excused: Mauzy.

Question - Shall the bill as amended be passed to engrossment?

**PERMISSION GRANTED FOR
SENATE COMMITTEES TO MEET**

On motion of Senator Jones and by unanimous consent, Senate Committees were granted permission to meet while the Senate is in session.

SENATE BILL 609 ON SECOND READING

The Senate resumed consideration of S.B. 609 on its second reading and passage to engrossment.

Question - Shall the bill as amended be passed to engrossment?

Senator Truan offered the following amendment to the bill:

Floor Amendment No. 10

Amend S.B. 609 by striking all below the enacting clause.

The amendment was read.

Question - Shall the amendment be adopted?

(During discussion of Floor Amendment No. 10, Senator Sharp occupied the Chair.)

SENATOR ANNOUNCED PRESENT

Senator Mauzy who had previously been recorded as "Absent-excused" was announced "Present".

(Senator Leedom in Chair)

(During discussion of Floor Amendment No. 10, President Pro Tempore Farabee occupied the Chair.)

(Senator Blake in Chair)

(During discussion of Floor Amendment No. 10, Senator Krier occupied the Chair.)

(Senator Leedom in Chair)

Question - Shall Floor Amendment No. 10 be adopted?

MESSAGE FROM THE HOUSE

House Chamber
April 29, 1985

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 183, In memory of Judge Sarah T. Hughes.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE BILL 609 ON SECOND READING

The Senate resumed consideration of S.B. 609 on its second reading and passage to engrossment.

Question - Shall Floor Amendment No. 10 be adopted?

(Senator Traeger in Chair)

(During the discussion of Floor Amendment No. 10, Senator McFarland occupied the Chair.)

(Senator Sharp in Chair)

(During the discussion of Floor Amendment No. 10, Senator Krier occupied the Chair.)

(Senator Sims in Chair)

(During discussion of Floor Amendment No. 10, Senator Caperton occupied the Chair.)

(Senator Sharp in Chair)

(TUESDAY, APRIL 30, 1985)

(During discussion of Floor Amendment No. 10, President Pro Tempore Farabee occupied the Chair.)

(Senator Henderson in Chair)

(President in Chair)

Question recurring on the adoption of Floor Amendment No. 10, the amendment was tabled on motion of Senator Santiesteban by the following vote: Yeas 17, Nays 8.

Yeas: Blake, Brown, Caperton, Edwards, Farabee, Glasgow, Henderson, Howard, Kothmann, Krier, Leedom, McFarland, Santiesteban, Sarpalius, Sims, Traeger, Uribe.

Nays: Barrientos, Brooks, Mauzy, Montford, Parker, Sharp, Truan, Williams.

Absent: Harris, Jones, Lyon, Parmer, Washington, Whitmire.

On motion of Senator Santiesteban and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

RECORD OF VOTES

Senators Barrientos, Brooks, Mauzy, Parker, Sharp, Truan and Williams asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

HOUSE BILL 955 ON SECOND READING

On motion of Senator Brown and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 955, Relating to the allocation and dedication of certain revenue to provide assistance for areas impacted by significant new naval military facilities, to the Texas home port trust fund, and to the taxation of sales of materials used in the construction of certain new significant naval military facilities. (Submitted by the Governor as an emergency matter.)

The bill was read second time.

Senator Brown offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **H.B. 955** by deleting Article 9 and inserting in lieu thereof the following:

ARTICLE 9. TEXAS HOME PORT TRUST FUND

SECTION 1. TEXAS HOME PORT TRUST FUND. The Texas home port trust fund is created. The fund shall be administered by the state treasurer, but the fund may be paid only on written authorization of the governor and may be paid to a navigation district or to any other political subdivision of the state as determined by the governor to be appropriate to be used only for the purpose of making public works improvements, including docks, dredging, bulkheads, and utilities, related to the naval facility. Before authorizing the use of money under this section, the governor shall notify the speaker of the house, the lieutenant governor, and the comptroller of public accounts of the proposed authorizations and shall consider their recommendations and requests. The improvements must be of a nature that would benefit the state if the facility were no longer used as a military installation. Interest earned by the fund shall be deposited to the credit of the general revenue fund.

SECTION 2. Section 154.603, Tax Code is amended to read as follows:

(a) After the deduction for the enforcement fund, the revenue remaining of the first \$2 of tax received per 1,000 cigarettes for cigarettes weighing three pounds or less per thousand and the first \$4.10 per 1,000 cigarettes of the tax received for cigarettes weighing more than three pounds per thousand is allocated:

- (1) 18.75 percent to the foundation school fund; and
- (2) 81.25 percent to the general revenue fund.

(b) The revenue remaining after deduction for the enforcement fund and allocation under Subsection (a) of this section is allocated:

- (1) 50 cents per 1,000 cigarettes to the state parks fund;
- (2) 50 cents per 1,000 cigarettes to the Texas Home Port Trust Fund until a total of \$12.5 million has been allocated to that fund in each fiscal year, after which, for the balance of the fiscal year, 50 cents per 1,000 cigarettes to the local parks, recreation and open space fund [~~this allocation expires on August 31, 1983~~]; and

- (3) the remainder to the general revenue fund.

(c) The Parks and Wildlife Department may use the money allocated under Subsection (b)(1) of this section to plan, develop, acquire, maintain, and operate state parks and historic sites. The department may not use more than 25 percent of the revenue credited to the state parks fund under Subsection (b)(1) to operate and maintain state parks and historic sites.

(d) Revenues allocated under Subsection (b) of this section shall be credited to the general revenue fund and then transferred from the general revenue fund to the appropriate funds as designated in Subsection (b) of this section

(e) Upon a determination by the governor that a significant new naval facility, as defined by Section 4, Article 1, National Defense Impacted Region Assistance Act of 1985, will not be located in Texas, all funds allocated to the Texas home port trust fund under Subsection (b)(2) of this section shall be transferred to the local parks, recreation, and open space fund.

SECTION 3. Effective September 1, 1987, Section 154.603, Tax Code is amended to read as follows:

(a) After the deduction for the enforcement fund, the revenue remaining of the first \$2 of tax received per 1,000 cigarettes for cigarettes weighing three pounds or less per thousand and the first \$4.10 per 1,000 cigarettes of the tax received for cigarettes weighing more than three pounds per thousand is allocated:

- (1) 18.75 percent to the available school fund; and
- (2) 81.25 percent to the general revenue fund.

(b) The revenue remaining after deduction for the enforcement fund and allocation under Subsection (a) of this section is allocated:

- (1) 50 cents per 1,000 cigarettes to the state parks fund;
- (2) 50 cents per 1,000 cigarettes to the local parks, recreation and open space fund [~~this allocation expire on August 31, 1983~~]; and
- (3) the remainder to the general revenue fund.

(c) The Parks and Wildlife Department may use the money allocated under Subsection (b)(1) of this section to plan, develop, acquire, maintain, and operate state parks and historic sites. The department may not use more than 25 percent of the revenue credited to the state parks fund under Subsection (b)(1) to operate and maintain state parks and historic sites.

(d) Revenues allocated under Subsection (b) of this section shall be credited to the general revenue fund and then transferred from the general revenue fund to the appropriate funds as designated in Subsection (b) of this section.

SECTION 4. LAPSE OF TRUST FUND. The Texas home port trust fund expires on the fourth anniversary of the date on which construction commences. At that time, the unexpended balance of the fund shall be deposited in the general revenue fund.

SECTION 5. LIMITATION ON FUND. Improvements made with the use of funds appropriated by this article may be leased to the United States government, but ownership of the improvements shall remain in the state, the navigation district, or the political subdivision. If the United States Navy does not

receive congressional approval for construction of the base or the activation of ships, additional money may not be used from the fund.

The amendment was read.

Senator Brown offered the following substitute for Committee Amendment No. 1:

Floor Amendment No. 1

Amend H.B. 955 by deleting Article 9 and inserting in lieu thereof the following:

ARTICLE 9. TEXAS HOME PORT TRUST FUND

SECTION 1. TEXAS HOME PORT TRUST FUND. The Texas home port trust fund is created. The fund shall be administered by the state treasurer, but the fund may be paid only on written authorization of the governor and may be paid to a navigation district or to any other political subdivision of the state as determined by the governor to be appropriate to be used only for the purpose of making public works improvements, including docks, dredging, bulkheads, and utilities, related to the naval facility. Before authorizing the use of money under this section, the governor shall notify the speaker of the house, the lieutenant governor, and the comptroller of public accounts of the proposed authorizations and shall consider their recommendations and requests. The improvements must be of a nature that would benefit the state if the facility were no longer used as a military installation. Interest earned by the fund shall be deposited to the credit of the general revenue fund.

SECTION 2. TRANSFER AND APPROPRIATION. Seventeen million dollars is transferred and appropriated from the water assistance fund to the Texas home port trust fund to be used for the purposes authorized by this article.

SECTION 3. Effective September 1, 1986, Section 154.603, Tax Code is amended to read as follows:

(a) After the deduction for the enforcement fund, the revenue remaining of the first \$2 of tax received per 1,000 cigarettes for cigarettes weighing three pounds or less per thousand and the first \$4.10 per 1,000 cigarettes of the tax received for cigarettes weighing more than three pounds per thousand is allocated:

- (1) 18.75 percent to the foundation school fund; and
- (2) 81.25 percent to the general revenue fund.

(b) The revenue remaining after deduction for the enforcement fund and allocation under Subsection (a) of this section is allocated:

- (1) 50 cents per 1,000 cigarettes to the state parks fund;
- (2) 50 cents per 1,000 cigarettes to the Texas Home Port Trust Fund until a total of \$8 million has been allocated to that fund in 1987 fiscal year, after which, for the balance of the fiscal year, 50 cents per 1,000 cigarettes to the local parks, recreation and open space fund [(this allocation expires on August 31, 1983)]; and

- (3) the remainder to the general revenue fund.

(c) The Parks and Wildlife Department may use the money allocated under Subsection (b)(1) of this section to plan, develop, acquire, maintain, and operate state parks and historic sites. The department may not use more than 25 percent of the revenue credited to the state parks fund under Subsection (b)(1) to operate and maintain state parks and historic sites.

(d) Revenues allocated under Subsection (b) of this section shall be credited to the general revenue fund and then transferred from the general revenue fund to the appropriate funds as designated in Subsection (b) of this section

(e) If the United States Navy does not receive congressional approval and appropriations for construction of a significant new naval facility to be located in

Texas or the activation of ships, the allocation to the Texas home port trust fund authorized under subsection (b)(2) of this section is not effective and those funds which would otherwise be allocated to the Texas home port trust fund shall be allocated to the local parks, recreation, and open space fund.

SECTION 4. Effective September 1, 1987, Section 154.603, Tax Code is amended to read as follows:

(a) After the deduction for the enforcement fund, the revenue remaining of the first \$2 of tax received per 1,000 cigarettes for cigarettes weighing three pounds or less per thousand and the first \$4.10 per 1,000 cigarettes of the tax received for cigarettes weighing more than three pounds per thousand is allocated:

- (1) 18.75 percent to the available school fund; and
- (2) 81.25 percent to the general revenue fund.

(b) The revenue remaining after deduction for the enforcement fund and allocation under Subsection (a) of this section is allocated:

- (1) 50 cents per 1,000 cigarettes to the state parks fund;
- (2) 50 cents per 1,000 cigarettes to the local parks, recreation and open space fund [~~(this allocation expire on August 31, 1983)~~]; and
- (3) the remainder to the general revenue fund.

(c) The Parks and Wildlife Department may use the money allocated under Subsection (b)(1) of this section to plan, develop, acquire, maintain, and operate state parks and historic sites. The department may not use more than 25 percent of the revenue credited to the state parks fund under Subsection (b)(1) to operate and maintain state parks and historic sites.

(d) Revenues allocated under Subsection (b) of this section shall be credited to the general revenue fund and then transferred from the general revenue fund to the appropriate funds as designated in Subsection (b) of this section.

SECTION 5. LAPSE OF TRUST FUND. The Texas home port trust fund expires on the fourth anniversary of the date on which construction commences. At that time, the unexpended balance of the fund shall be deposited in the general revenue fund.

SECTION 6. LIMITATION ON FUND. Improvements made with the use of funds appropriated by this article may be leased to the United States government, but ownership of the improvements shall remain in the state, the navigation district, or the political subdivision. If the United States Navy does not receive congressional approval for construction of the base or the activation of ships, additional money may not be used from the fund.

The substitute amendment was read and was adopted.

Committee Amendment No. 1 as substituted was adopted.

Senator Brown offered the following committee amendment to the bill:

Committee Amendment No. 2

Amend Article 10 of H.B. 955 by deleting Section 2 and inserting in lieu thereof the following:

SECTION 2. EFFECTIVE DATE. (a) Except as provided by Subsection (b) of this section, this Act takes effect on the date the governor issues the proclamation referred to in Section 1 of this article. If the governor does not issue the proclamation on or before January 1, 1986, this Act expires.

(b) Article 9 takes effect September 1, 1985.

The amendment was read.

Senator Brown offered the following substitute for Committee Amendment No. 2:

Floor Amendment No. 2

Amend **H.B. 955** by deleting Section 2 of Article 10 and inserting in lieu thereof the following:

SECTION 2. EFFECTIVE DATE. Except as otherwise provided by individual sections, this act takes effect on the date the governor issues the proclamation referred to in Section 1 of this article. If the governor does not issue the proclamation on or before January 1, 1986, this Act expires.

The substitute amendment was read and was adopted.

Committee Amendment No. 2 as substituted was adopted.

On motion of Senator Brown and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

RECORD OF VOTE

Senator Sarpalius asked to be recorded as voting "Nay" on the passage of the bill to third reading.

MEMORIAL RESOLUTIONS

S.R. 346 - By Glasgow: Memorial resolution for Clyde Monroe Pittman.

S.R. 347 - By Glasgow: Memorial resolution for Jimmie Morgan Hampton.

CONGRATULATORY RESOLUTIONS

S.R. 344 - By Sarpalius: Commending Mrs. Ad Mihm.

S.R. 345 - By Glasgow: Commending Steven B. Jackson for his act of heroism.

S.R. 348 - By Krier: Extending congratulations to Balcones Heights Mayor Kirk K. Colyer and the Balcones Heights Area Chamber of Commerce.

ADJOURNMENT

On motion of Senator Mauzy, the Senate at 6:25 o'clock a.m. adjourned until 6:26 o'clock a.m. today.

APPENDIX

Signed by Governor
(April 25, 1985)

H.B. 1064 (Effective immediately)

S.B. 120 (Effective September 1, 1985)

S.B. 185 (Effective September 1, 1985)

S.B. 240 (Effective August 26, 1985)

S.B. 273 (Effective September 1, 1985)

S.B. 405 (Effective immediately)

Filed without Signature of Governor
(April 25, 1985)

S.B. 501 (Effective August 26, 1985)

H.B. 724 (Effective September 1, 1985)

S.C.R. 24